

## **Remarks**

### Status of application

Claims 1-10, 13-29, and 32-41 were examined and stand finally rejected under Section 101. Applicant appreciates the Examiner's courtesy in discussing the non-prior art rejection of Applicant's claims under Section 101 made by the Examiner in the final rejection. Applicant respectfully requests the Examiner to reconsider the rejection of Applicant's claims under Section 101 based on the remarks set forth herein.

### General

#### A. Section 101 rejection

The Examiner has indicated that claims 1-10, 13-29, and 32-41 would be allowable if the rejection of Applicant's claims under Section 101 could be overcome. Claims 1-10, 13-29, and 32-41 stand rejected under 35 U.S.C. 101 on the basis of non-statutory subject matter. Here, the Examiner states that Applicant's claimed invention does not produce a real world result.

Applicant's invention assists users by providing for more efficient evaluation of a set of rules based on input data and returning results of evaluation of the set of rules. A user could, theoretically, gather all of the data and manually evaluate each item of data against each of the rules one at a time (e.g., on paper) to determine rule outcome. However this rule evaluation process could be a very lengthy and inefficient process, particularly if the set of rules is complex and/or a large quantity of data is involved.

Applicant's invention creates a representation of a set of rules in a computing system that enables the rules to be evaluated efficiently. The rules, may, for example include a user-defined expression as described in paragraph [0144] of Applicant's specification. During operation, Applicant's Boolean Network Rule Engine includes features to avoid processing input data and/or rules which are not relevant to the results (outcome) of evaluation of the rules. This enables the evaluation to be performed more efficiently. Although the system manipulates and processes data, it generates a tangible result -- the results (i.e., outcome) of the evaluation of the set of rules based on the input data. Applicant's independent claims 1, 15 and 20 specifically state that the claimed invention returns results of rule evaluation, thereby enabling the user to take action (if

appropriate) based on such results. These limitations are supported in Applicant's specification. For example, paragraph [0009] of Applicant's specification refers to outputting data objects and sending a message such as "Thank you for shopping" to a user. As additional examples, paragraph [0091] of Applicant's specification describes performing an evaluation based on inputs and returning indications as to rules which evaluate to "TRUE", while paragraph [0095] and Fig. 5B of Applicant's specification also describe gathering and returning results of rule evaluation. In addition, paragraph [0098] describes the output of a result "TRUE" or "FALSE" together with a rule identifier. Applicant respectfully believes that Applicant's claimed invention which automatically evaluates a set of rules based on certain input data and returns results of such evaluation represents a "useful, concrete and tangible" result which has practical application and overcomes the rejection under Section 101.

#### Conclusion

Applicant respectfully requests the Examiner to reconsider the rejection under Section 101 based on the remarks set forth herein.

If for any reason the Examiner feels that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 925 465-0361.

Respectfully submitted,

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